

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5**

IN THE MATTER OF:)	
)	
Tri-Star Cabinet & Top)	NOTICE OF VIOLATION
Company, Inc.)	
New Lenox, Illinois)	EPA-5-01-IL-07
)	
Proceeding Pursuant to)	
Section 113(a)(1) of the)	
Clean Air Act,)	
42 U.S.C. § 7413(a)(1))	

NOTICE OF VIOLATION

The Administrator of the United States Environmental Protection Agency (U.S. EPA), by authority duly delegated to the undersigned, is issuing this Notice of Violation pursuant to Section 113(a)(1) of the Clean Air Act (Act), 42 U.S.C. § 7413 (a)(1). U.S. EPA hereby notifies the State of Illinois and Tri-Star Cabinet & Top Company, Inc. (Tri-Star) that U.S. EPA finds that Tri-Star, located at 1000 South Cedar Street, New Lenox, Illinois, is in violation of the Illinois State Implementation Plan (Illinois SIP), as follows:

Statutory and Regulatory Background

1. The State of Illinois amended the Wood Furniture Coating Rules effective February 2, 1998. 22 Ill. Reg. 3556. On March 6, 1998, the State of Illinois submitted the amended Rules to U.S. EPA as a requested revision of the Illinois SIP for ozone. On May 19, 1998, U.S. EPA approved the Illinois SIP revision, making the amended Wood Furniture Coating Rules federally enforceable, effective July 20, 1998. 63 Fed. Reg. 27489.
2. 35 Ill. Admin. Code, Part 218.204 (1)(3)(D) sets forth the emission limitations for wood furniture coaters, specifying that no owner or operator of a coating line shall apply at any time any coating in which the VOM content exceeds the emission limitations for the specified coating. On and after July 20, 1998, wood furniture semi-transparent stains must comply with the emission limitation of 6.6 lb VOM/gallon.

3. 35 Ill. Admin. Code, Part 218.211 (c)(2) specifies that on or after July 20, 1998, the owner or operator of a subject coating line shall collect and record the weight of VOM per weight of solids and certified product data sheets for each coating as applied, each day on each coating line shall keep such records for a period of three years.

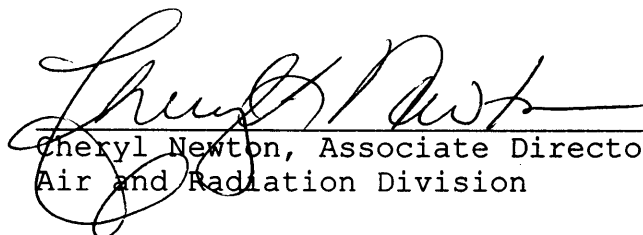
Factual Background

4. Tri-Star owns and operates a wood office furniture manufacturing facility located at 1000 South Cedar Street, New Lenox, Illinois. Tri-Star is located in Will County, Illinois.
5. Tri-Star has used several semi-transparent stains at its New Lenox facility since August 1996.
6. After July 20, 1998, Tri-Star used a semi-transparent stain (code no: S64XXY0711) having a VOM content of 7.03 lb VOM/gallon.
7. On or after July 20, 1998, Tri-Star did not collect and record the weight of VOM per weight of solids and certified product data sheets for each coating as applied, each day on each coating line.

Finding of Violation

8. Tri-Star's use of the semi-transparent stain with a VOM content greater than 6.6 lb VOM/lb gallon after July 20, 1998 is a violation of the emission limitations for wood furniture coaters at 35 Ill. Admin. Code 218.204.
9. Tri-Star's failure to collect certified product data sheets for each coating, and to record the weight of VOM per weight of solid for each coating as applied, each day on each coating line is a violation of 35 Ill. Admin. Code, Part 218.211 (c)(2).

3/13/01
Date


Cheryl Newton, Associate Director
Air and Radiation Division

CERTIFICATE OF MAILING

I, Betty Williams, do hereby certify that a Notice of Violation, No. EPA-5-01-IL-07 and a Finding of Violation, No. EPA-5-01-IL-08 issued pursuant to the Clean Air Act, was sent by Certified Mail, Return Receipt Requested, to:


James H. Thomas, President
Tri-Star Cabinet & Top Company, Inc.
1000 South Cedar Street
New Lenox, Illinois 60451

I also certify that copies of the Notice of Violation and Finding of Violation was sent by first class mail to:

Julie Armitage, Acting Section Manager
Compliance and Systems Management Section
Bureau of Air
Illinois Environmental Protection Agency
1021 North Grand Avenue
Springfield, Illinois 62702

Harish Narayan, Acting Regional Manager
Illinois Environmental Protection Agency
Region 1
9511 W. Harrison Street
Des Plaines, Illinois 60016

on the 14th day of March, 2001.


Betty Williams, Secretary
AECAS, (IL/IN)

CERTIFIED MAIL RECEIPT NUMBER: 70993400 0000 9591 8884